

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CASSAVA SCIENCES, INC.,

Plaintiff,

v.

DAVID BREDT, GEOFFREY PITT,
QUINTESSENTIAL CAPITAL
MANAGEMENT LLC, ADRIAN HEILBUT,
JESSE BRODKIN, ENEA MILIORIS and
PATRICK MARKEY,

Defendants.

Case No. 1:22-cv-09409-GHW-OTW

ORAL ARGUMENT REQUESTED

**DEFENDANTS DR. JESSE BRODKIN, DR. ADRIAN HEILBUT, AND
DR. ENEA MILIORIS'S NOTICE OF MOTION TO DISMISS
THE FIRST AMENDED COMPLAINT**

PLEASE TAKE NOTICE that Defendants Dr. Jesse Brodtkin and Dr. Enea Milioris, by their undersigned counsel, hereby move this Honorable Court for an Order, pursuant to Federal Rules of Civil Procedure 12(b)(2), 12(b)(6) and 8, dismissing with prejudice Plaintiff's First Amended Complaint (Dkt. 30) in its entirety as against Drs. Brodtkin and Milioris and for such other relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that Defendant Dr. Adrian Heilbut, by his undersigned counsel, hereby moves this Honorable Court for an Order, pursuant to Federal Rules of Civil Procedure 12(b)(6) and 8, dismissing with prejudice Plaintiff's First Amended Complaint (Dkt. 30) in its entirety as against Dr. Heilbut and for such other relief as the Court deems just and proper.

Defendants Dr. Brodtkin, Dr. Heilbut, and Dr. Milioris will rely upon the Memorandum of Law, submitted herewith, as well as any further briefing and argument presented. Defendants Dr. Brodtkin, Dr. Heilbut, and Dr. Milioris respectfully request that oral argument on this motion be held on a date and at a time designated by the Court.

This motion is made following the conference of counsel, which took place on February 15, 2023. Plaintiff declined an opportunity to amend. In accordance with this Court's Individual Rule of Practice III.a., the parties have agreed to the following proposed briefing schedule:

- Plaintiff's opposition is due on **April 14, 2023**; and
- Defendants Dr. Brodtkin, Dr. Heilbut, and Dr. Milioris's reply is due on **May 5, 2023**.

Dated: March 9, 2023
New York, New York

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